

REMARKS

Claims 1-26 are now pending in the application, with claim 1 being the only independent claim. Reconsideration and further examination are respectfully requested.

In the Office Action, claims 1-23 were rejected under 35 USC § 102(b) over U.S. Patent 3,542,069 (Ollison). Withdrawal of this rejection is respectfully requested for the following reasons.

The amendments above focus the scope of the claims on embodiments of the invention in which a small animal, such as a reptile or bird, periodically is sprayed with the use of a portable electric sprayer, with the sprayer's controls being set based on known needs of the animal(s) to which the spray is to be applied. Support for such amendments can be found, e.g., at page 1 lines 18-20 and page 8 line 30 to page 9 line 2 of the present Specification.

More specifically, independent claim 1 is directed to a method of periodically spraying live animals with the use of a portable electric sprayer. The sprayer includes: a fluid reservoir; a nozzle for producing a spray of fluid; a conduit between the fluid reservoir and the nozzle; an electric pump coupled so as to pump fluid from the reservoir, through the conduit and out of the nozzle; a control panel configured to accept user settings that control operation of the electric pump; and a control circuit electrically coupled to accept the user settings from the control panel and configured to activate and deactivate the electric pump when indicated by the user settings. The fluid reservoir is at least partially filled with fluid, the control panel is set to intermittently produce sprays of the fluid, and the nozzle is directed so as to provide the sprays

toward the at least one small animal. Then, the portable electric sprayer is allowed to cycle through a plurality of the sprays while unattended. According to claim 1, the control panel settings are chosen based on known needs of the at least one small animal to which the spray is to be applied.

The foregoing combination of features is not disclosed or suggested by the applied art. For example, the applied art does not disclose or suggest at least the feature of periodically spraying a small animal, such as a reptile or a bird, with the use of a portable electric sprayer, with the sprayer's controls having been set based on known needs of the animal(s) to which the spray is to be applied.

These features of the invention are newly emphasized in the claim amendments above and, therefore, have not been addressed in the current Office Action. However, Applicant has carefully studied the cited prior-art references and is unable to find any hint or suggestion regarding such a feature. Rather, Ollison only appears to disclose watering plants or refilling a pet's water bowl using an automated device. Similarly, the other cited prior-art references tend also to be directed toward watering plants.

As noted in the current Specification, one contribution of the present invention is the teaching of the desirability of automatically spraying or misting certain (e.g., tropical) small animals, such as reptiles and birds. Such spraying or misting often can help to simulate the animal's natural environment. Moreover, the use of a portable electric sprayer for this purpose also is believed to be novel.

Lacking these features of the invention, the applied art could not have anticipated or rendered obvious independent claim 1. Accordingly, claim 1 is believed to be allowable over the applied art.

The other pending claims depend from independent claim 1 and are therefore believed to be allowable for the same reasons. In addition, each such dependent claim recites an additional feature of the invention that further distinguishes the invention from the applied art. Accordingly, the individual consideration/reconsideration of each on its own merits is respectfully requested.

For instance, dependent claim 13 recites an additional step of hanging the portable electric sprayer using at least one of a hook and a suction cup (e.g., for attaching to a cage or to a terrarium wall). Dependent claims 14 and 16 recite an additional step of using the control panel to select a time interval at which the sprays periodically are to occur. Dependent claim 15 recites an additional step of using the control panel to select a duration of the sprays. Dependent claim 20 recites the additional feature that the portable electric sprayer includes plural suction cups for attaching the portable electric sprayer to a wall. Dependent claim 23 recites the additional feature that the portable electric sprayer includes attachment means for at least one of hanging the portable electric sprayer or attaching the portable electric sprayer to at least one of a terrarium or a bird cage. Dependent claim 24 recites the additional feature that the at least one small animal comprises a reptile. Dependent claim 25 recites the additional feature that the at least one small animal comprises a bird. Dependent claim 26 recites the additional steps of observing the at least one small animal after a period of spraying and then, based on such observations, at least one of modifying the control-panel settings or redirecting the nozzle. These additional features of the invention often can further facilitate the effective spraying of small animals and are neither disclosed nor suggested by the applied art.

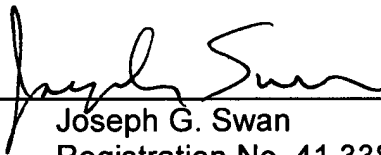
In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and an indication to that effect is respectfully requested.

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Respectfully submitted,

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